

STATE OF CALIFORNIA

OFFICE OF EMERGENCY SERVICES

POST OFFICE BOX 9377  
SACRAMENTO, CALIFORNIA 95833  
(916) 421-4590

BOARD OF SUPERVISORS  
MAY 14 10 08 AM '79  
COUNTY OF  
SANTA CLARA

May 11, 1979

Chairman, Board of Supervisors  
Director, County Emergency Services

In response to your request as a result of a sudden and serious gasoline shortage beginning on or about May 1, 1979, the Governor has proclaimed a State of Emergency in your county.

Attached is a copy of the Governor's proclamation and regulations pertaining to the California gasoline emergency.

Sincerely,

*Alex R. Cunningham*  
ALEX R. CUNNINGHAM  
Director

attachments

EA SUPERVISOR

FILED

In the Office of the Secretary of State  
of the State of California

MAY 8 - 1979

*[Signature]*  
Assistant Secretary of State

Executive Department  
State of California

PROCLAMATION  
OF  
STATE OF EMERGENCY

I, EDWARD G. BRENN JR., Governor of the State of California, find that conditions of extreme peril to the safety of persons and property exist within the counties of

Alameda

CONTRA COSTA

LOS ANGELES

MARIN

SONOMA

ORANGE

SAN DIEGO

SANTA CLARA

VENTURA

beginning on or about May 1, 1979. I further find that these emergency conditions are as a result of a sudden and serious gasoline shortage at retail outlets and other consumer gasoline purchasing problems causing extreme traffic hazards and injury to persons and property and which, by reason of their magnitude, are beyond the control of the services, personnel, equipment and facilities of said counties. Having been advised by the Chairpersons of the Boards of Supervisors of said counties that they have declared a state of local emergency, I, therefore, proclaim the existence of a state of emergency in the aforementioned counties.

I hereby incorporate, by reference, the regulations pertaining to the California gasoline emergency filed with the Secretary of State on the 8th day of May, 1979, and all subsequent amendments thereto and issue these regulations pursuant to Section 8567 of the California Government Code. These regulations shall apply to the areas and counties in which a state of emergency exists:

I direct this program shall begin at 0001 hours May 9, 1979 in the aforementioned counties.

I direct that as soon hereafter as possible this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 8th day of May 1979.

*Edmund G. Brown*  
GOVERNOR OF CALIFORNIA

ATTEST:

*Wanda Fong*  
Secretary of State

*Ed. J. ...*  
Assistant Secretary of State



## Executive Department

State of California

### REGULATIONS FOR CALIFORNIA'S GASOLINE EMERGENCY

In light of the state of emergency now existing in the counties of Los Angeles, Orange, Alameda, Contra Costa, Solano, San Mateo, Riverside, Santa Clara and Ventura, and pursuant to the authority vested in me to promulgate, issue and enforce rules, regulations and orders, I deem the following amended rules and regulations necessary for the protection of life and property:

1. At the retail level, gasoline may be dispensed into vehicles with a license plate whose last (or only) digit is an odd number (1, 3, 5, 7 and 9) only on odd numbered days of the month, that is, on the first, third, fifth, seventh and so on. Environmental license plates that contain letters only will be equivalent to the digit 1. Examples of odd number plates are as follows:

SAM 123  
123 SAM  
MARTHA  
KAM 2345  
12345J  
J12345

2. At the retail level, gasoline may be dispensed into vehicles with a license plate whose last (or only) digit is an even number (0, 2, 4, 6 and 8) only on even numbered days of the month, that is, on the second, fourth, sixth, eighth, tenth and so on. Examples of even number plates are as follows:

SAM 132  
132 SAM  
DAVE 2  
2 MARY  
KMA 3456  
01234J  
J01234  
WGABC

3. For any calendar month in which there are 31 days, sales may be made on the thirty-first day of the month without regard to the registration plates of the motor vehicle.
4. Gasoline shall not be sold to any vehicle that has more than one-half tankful of gasoline. When requested by the gasoline attendant, the customer shall permit inspection of the fuel gauge with the ignition key in the "on" position.

## Executive Department

### State of California

5. When dispensing gasoline to the general public, gasoline retailers shall not refuse to sell gasoline to anyone, on appropriate odd or even days, except to refuse to sell gasoline to vehicles with more than one-half a tankful of fuel.
6. No general hours or days of operation are required by these regulations. However, each gasoline retailer shall clearly post by signs legible from off the premises his anticipated minimum business days and hours of operation for dispensing gasoline.

#### COMMENT:

Individual retailers are the best judges of the business days and hours that satisfy their customers' needs, and are encouraged to work out staggered hours of operation in common marketing areas. All gasoline suppliers are urged to refrain from establishing additional retail stations, and are urged not to reduce the gasoline supplies available to existing stations in order to supply unnecessary new stations.

7. Each gasoline retailer shall manage his monthly fuel allocation so that it will last through the month.

#### COMMENT:

The need for maximum and minimum purchase limits appears no longer necessary. Gasoline retailers are discouraged from establishing maximum or minimum purchase limits; however if limits are adopted the retailer should clearly indicate these limits by signs legible from off the premises.

8. Each service station shall clearly indicate its gasoline supply and service situation by a sign or flag, easily visible from off the premises. If the flag system is used, the following will apply: Green flag--gasoline available for the general public (on appropriate days for appropriate license plates); yellow flag--gasoline available for emergency vehicles only; red flag--out of gasoline and/or closed. If the sign system is used, it should state the following, or equivalent information: Gasoline available--emergency vehicles only--out of gasoline and/or closed.
9. The following vehicles are exempt from the provisions sections 1 and 2 of these orders:

## Executive Department

### State of California

- a) Emergency vehicles as defined in Section 265 of the California Vehicle Code.
- a) Public transportation vehicles regularly used to transport passengers which are buses, taxis and vehicles rented for less than 30 days.
- b) Buses regularly used to transport passengers as defined in Section 233 of the California Vehicle Code.
- b) Vehicles used for commercial purposes in the judgment of the gasoline retailer (see attachment A).
- c) Vehicles used for commercial purposes in the judgment of the gasoline retailer.
- c) Vehicles with out-of-state license plates.
- d) U.S. Postal Service vehicles.
- e) Vehicles operated by handicapped persons, who have no practical alternative to auto transportation, as designated by the following license plate letters:

DPW 000 - 999	000 - 999 DPY
DPX 000 - 999	000 - 999 DPZ
DPY 000 - 999	VET 000 - 999
DPZ 000 - 999	VEN 000 - 999
000 - 999 DPW	VTR 000 - 999
000 - 999 DPX	000 - 999 VET

Vehicles with out-of-state license plates are exempt from the alternate day ban on gasoline purchases but not from the one-half tank purchase provision. Operators of the above exempt vehicles are urged to purchase gasoline only on appropriate alternate days whenever possible.

10. The following vehicles are exempt from the provisions of these orders:

- a) Emergency vehicles as defined in Section 165 of the California Vehicle Code (see attachment B).
- b) Other emergency repair and service vehicles, whether public or private, used for functions directly related to the protection of life, property or public health.
- c) Vehicles operated in an unusual emergency situation in the judgment of the gasoline retailer.

11. At the retail level, gasoline may be dispensed into separate containers only when necessary in the judg-

Executive Department  
State of California

ment of the gasoline retailer. Such sales shall be in the smallest practical quantity.

COMMENT:

Storage of gasoline in separate containers in the trunk of automobiles is an extremely dangerous practice.

12. Pursuant to the authority of Section 2665 of the Government Code, any violation of these orders or regulations is a misdemeanor and upon conviction, shall be punishable by a fine of not to exceed five hundred dollars (\$500) or by imprisonment not to exceed six months or by both such fine and imprisonment.

Ronald Reagan  
Governor of California

Attest:

Edward H. Brown  
Secretary of State

Date: March 15, 1974

by Mary Ann Tull  
Deputy Secretary of State

Executive Department  
State of California

OES RELEASE #7352  
(amended)

On behalf of the Energy Planning Council, the Office of Emergency Services announces the following clarifications of the Emergency Gasoline Marketing Plan.

1. Vehicles used for commercial purposes: These guidelines were issued today for use by retailers in determining whether a vehicle is used for commercial purposes.
  - A. Vehicles which by their design, size, or recognizable company identification are obviously being used for commercial purposes.
  - B. Vehicles which are owned and operated as part of a company vehicle fleet as may be determined by company marking on the vehicle's registration.
  - C. Individually owned vehicles used for commercial purposes, as evidenced by the presence of specialized equipment, instruments, tools of the trade or profession, supplies or other material which cannot be readily carried by the vehicle operator on public transportation, or any other evidence that it is necessary to use the vehicle for commercial purposes.
2. Doctors and Nurses: No blanket exemption is made for doctors and nurses. However, when they are using their vehicles for professional purposes (such as special calls) their vehicles should be considered as those being used for commercial purposes and when using their vehicles for emergency calls they should be considered emergency vehicles. Physicians and nurses are expected to do the same planning in fueling their vehicles for private use as are other citizens. In extreme emergency situations, they can call upon taxis, ambulances, or the local law enforcement agency.
3. Appointments: "Sales by appointment only constitute discrimination under Section 210.62 of the Federal Petroleum Allocation and Price Regulations, unless he (the retailer) conducted his business by appointment only prior to January 15, 1972 in so far as he continues his pre-existing practice."
4. FEO regulations also prohibit stations from selling exclusively to commercial vehicles.



## Executive Department

State of California

### SECTION 165, DIVISION 1., STATE VEHICLE CODE

165. An authorized emergency vehicle is:

(a) Any publicly owned ambulance, lifeguard or lifesaving equipment or any privately owned ambulance used to respond to emergency calls and operated under a license issued by the Commissioner of the California Highway Patrol.

(b) Any publicly owned vehicle operated by the following persons, agencies or organizations:

(1) Any forestry or fire department of any public agency or fire department organized as provided in the Health and Safety Code.

(2) Any police department, including those of the University of California and the California State University and Colleges, sheriff's department, or the California Highway Patrol.

(3) The district attorney of any county or any district attorney investigator.

(4) Any constable or deputy constable engaged in law enforcement work.

(5) Peace officer personnel of the Department of Justice.

(6) Peace officer personnel of the state park system appointed pursuant to Section 5008 of the Public Resources Code.

(7) Peace officer personnel employed and compensated as members of a security patrol of a school district while carrying out the duties of their employment.

(c) Any vehicle owned by the state, or any bridge and highway district, and equipped and used either for fighting fires, or towing or servicing other vehicles, caring for injured persons, or repairing damaged lighting or electrical equipment.

(d) Any state-owned vehicle used in responding to emergency fire, rescue or communications calls and operated either by the Office of Emergency Services or by any public agency or industrial fire department to which the Office of Emergency Services has assigned such vehicle.

(e) Any state-owned vehicle operated by a fish and game warden.

(f) Any vehicle owned or operated by any department or agency of the United States government:

(1) When such department or agency is engaged primarily in law enforcement work and the vehicle is used in responding to emergency calls, or

(2) When such vehicle is used in responding to emergency fire, ambulance or lifesaving calls.

(g) Any vehicle for which an authorized emergency vehicle permit has been issued by the Commissioner of the California Highway Patrol.

# Executive Department State of California

## SECTION 165, DIVISION 1., STATE VEHICLE CODE

165. An authorized emergency vehicle is:

(a) Any publicly owned ambulance, lifeguard or lifesaving equipment or any privately owned ambulance used to respond to emergency calls and operated under a license issued by the Commissioner of the California Highway Patrol.

(1) Any forestry or fire department of any public agency or fire department organized as provided in the Health and Safety Code.

(b) Any publicly owned vehicle operated by the following persons, agencies or organizations:

(2) Any police department, including those of the University of California and the California State University and Colleges, Sheriff's Department, the California Highway Patrol or the California State Police Division.

(3) The district attorney of any county or any district attorney investigator.

(4) Any constable or deputy constable engaged in law enforcement work.

(5) Peace officer personnel of the Department of Justice.

(6) Peace officer personnel of the state park system appointed pursuant to Section 5006 of the Public Resources Code.

(7) Peace officer personnel employed and compensated as members of a security patrol of a school district while carrying out the duties of their employment.

(8) Peace officer personnel of the Department of Corrections designated in subdivision (b) of Section #30.5 of, and in Section #30.5a of, the Penal Code.

(9) Housing authority patrol officers designated in paragraph (17) of subdivision (a) of Section #30.4 of the Penal Code.

(c) Any vehicle owned by the state, or any bridge and highway district, and equipped and used either for fighting fires, or towing, or servicing other vehicles, caring for injured persons, or repairing damaged lighting or electrical equipment.

(d) Any state owned vehicle used in responding to emergency fire, rescue or communications calls and operated either by the Office of Emergency Services or by any public agency or industrial fire department to which the Office of Emergency Services has assigned such vehicle.

(e) Any state owned vehicle operated by a fish and game warden.

(f) Any vehicle owned or operated by any department or agency of the United States Government.

(1) When such department or agency is engaged primarily in law enforcement work and the vehicle is used in responding to emergency calls, or

(2) When such vehicle is used in responding to emergency fire, ambulance or lifesaving calls.

(g) Any vehicle for which an authorized emergency vehicle permit has been issued by the Commissioner of the California Highway Patrol.

**Executive Department**  
**State of California**

**ADDITIONAL GUIDANCE**

1. Retailers shall use these guidelines in determining whether a vehicle is used for commercial purposes.
  - A. Vehicles which by their design, size, or recognizable company identification are obviously being used for commercial purposes.
  - B. Vehicles which are owned and operated as a part of a company vehicle fleet as may be determined by company marking or the vehicle's registration.
  - C. Individually owned vehicles used for commercial purposes, as evidenced by the presence of specialized equipment, instruments, tools of the trade or profession, supplies or other material which cannot be readily carried by the vehicle operator on public transportation, or any other evidence that it is necessary to use the vehicle for commercial purposes.
2. Doctors and Nurses: No blanket exemption is made for doctors and nurses. However, when they are using their vehicles for professional purposes (such as special calls) their vehicles should be considered as those being used for commercial purposes and when using their vehicles for emergency calls they should be considered emergency vehicles. Physicians and nurses are expected to do the same planning in fueling their vehicles for private use as are other citizens. In extreme emergency situations, they can call upon taxis, ambulances, or the local law enforcement agency.

**Executive Department**  
**State of California**

**REGULATIONS FOR CALIFORNIA'S GASOLINE EMERGENCY**  
**(Revised)**

In light of counties now proclaimed to be in a "State of Emergency" and pursuant to the authority vested in me to promulgate, issue and enforce rules, regulations and orders, I deem the following amended and revised rules and regulations necessary for the protection of life and property:

1. At the retail level, gasoline may be dispensed into vehicles with a license plate whose last (or only) digit is an odd number (1, 3, 5, 7 and 9) only on odd numbered days of the month, that is, on the first, third, fifth, seventh and so on. Environmental license plates that contain letters only will be equivalent to the digit 1. Examples of odd number plates are as follows:

SAM 123  
123 SAM  
MARTHA  
KAM 2345  
12345J  
J12345

2. At the retail level, gasoline may be dispensed into vehicles with a license plate whose last (or only) digit is an even number (0, 2, 4, 6 and 8) only on even numbered days of the month, that is, on the second, fourth, sixth, eighth, tenth and so on. Vehicles without permanent registration, such as newly purchased vehicles, shall be considered an even number. Examples of even number plates are as follows:

SAM 132  
132 SAM  
DAVE 2  
2 MARY  
KMA 3456  
01234J  
J01234  
W6ABC

3. For any calendar month in which there are 31 days, sales may be made on the thirty-first day of the month without regard to the registration plates of the motor vehicle.
4. Gasoline shall not be dispensed into any vehicle that has more than one-half tankful of gasoline. When requested by the gasoline attendant, the customer shall permit inspection of the fuel gauge with the ignition key in the "on" position. No other minimum purchase requirements shall be imposed by any gasoline retailer.

## Executive Department State of California

5. No more than 20 gallons of gasoline shall be dispensed to any customer in any single transaction. No other maximum limit on purchases shall be imposed by any gasoline retailer.

This rule shall not apply to any carwash for which a statement has been filed pursuant to Rule #19; or to the dispensing of gasoline into trucks which either (1) have a California Public Utilities Commission permit or certificate, (2) are hauling agricultural products, or (3) in the judgment of the gasoline retailer, are otherwise engaged in hauling for a commercial purpose.

6. When dispensing gasoline to the general public, gasoline retailers shall not refuse to sell gasoline to anyone, on appropriate odd or even days, except to refuse to sell gasoline to vehicles with more than one-half of a tankful of fuel. Gasoline retailers shall not require the purchase of special goods and services, including, but not limited to, car washes, tires, or car lubrication, as a condition to the dispensing of gasoline. In addition, except as otherwise provided in Rules 11 and 12, retailers shall not dispense gasoline on a preferential basis such as an appointment system.

7. No general hours or days of operation are required by these regulations. However, each gasoline retailer shall clearly post by signs legible from off the premises his anticipated minimum business days and hours of operation for dispensing gasoline.

### COMMENT:

Individual retailers are the best judges of the business days and hours that satisfy their customers' needs, and are encouraged to work out staggered hours of operation in common marketing areas.

8. Each gasoline retailer shall prominently display a full and complete copy of these rules in an accessible location. In addition, each gasoline retailer shall post at each self-service station a sign that is readily legible from all pumps stating that it is unlawful to dispense gasoline into any vehicle that has more than one-half tankful of gasoline or to dispense more than 20 gallons of gasoline in any single transaction.
9. Each gasoline retailer shall manage his monthly fuel allocation so that it will last through the month.
10. Each service station shall clearly indicate its gasoline supply and service situation by a flag of at least 18 inches square easily visible from off the premises. The following will apply:

## Executive Department State of California

Green flag—gasoline available for the general public (on appropriate days for appropriate license plates); yellow flag—gasoline available for emergency vehicles only and automobile servicing available to the general public; red flag—out of gasoline and/or closed. In addition, if a retailer is out of any grade of gasoline, but is otherwise still dispensing gasoline to the general public, the retailer shall indicate on a sign legible from off the premises which grades are not available.

11. The following vehicles are exempt from sections 1 and 2 of these orders:

- a) Public transportation vehicles regularly used to transport passengers such as buses, taxis and vehicles rented for less than 30 days.
- b) Vehicles used for commercial purposes in the judgment of the gasoline retailer. (See additional guidance, Attachment A)
- c) U. S. Postal Services vehicles.
- d) Vehicles operated by handicapped persons, who have no practical alternative to auto transportation, as designated by the following license plates letters:

DPW 000 - 999	YDP 000 - 999	000 - 999 RDP
DPX 000 - 999	ZDP 000 - 999	000 - 999 SDP
DPY 000 - 999	VET 000 - 999	000 - 999 TDP
DPZ 000 - 999	VTN 000 - 999	000 - 999 UDP
WDP 000 - 999	VTR 000 - 999	000 - 999 VDP
XDP 000 - 999		

Any vehicle displaying a disabled person placard issued by the California Department of Motor Vehicles.

- e) Vehicles with out-of-state license plates.
- f) Vehicles operated by persons whose residence addresses as shown on their drivers licenses are more than 100 miles distance from the place of gasoline purchase. This exemption shall only apply to the dispensing of gasoline in Monterey County.
- g) Vehicles transporting patients who present a Los Angeles County physician's signed exemption statement to the gasoline retailer. This exemption shall only apply until August 10, 1979.

Operators of the above exempt vehicles are urged to purchase gasoline only on appropriate alternate days whenever possible.

**Executive Department**  
**State of California**

12. The following vehicles are exempt from the provisions of these orders:

- a) Emergency vehicles as defined in Section 165 of the California Vehicle Code (see attachment B).
- b) Other emergency repair and service vehicles, whether public or private, used for functions directly related to the protection of life, property or public health.
- c) Vehicles operated in an unusual emergency situation in the judgment of the gasoline retailer.
- d) Motorcycles, mopeds, and similar two-wheel vehicles.

13. At the retail level, gasoline may be dispensed into separate containers only when necessary in the judgment of the gasoline retailer. Such sales shall be in the smallest practical quantity.

**COMMENT:**

Storage of gasoline in separate containers in the trunk of automobiles is an extremely dangerous practice.

14. The vehicle operator and the gasoline retailer are separately required to comply with the provisions of Rules (1), (2), (4), and (5). Either or both may be charged for violation of Rules (1), (2), (4), and (5).

15. Pursuant to the authority of Section 8665 of the Government Code, any willful violation of these orders or regulations is a misdemeanor and upon conviction, shall be punishable by a fine of not to exceed five hundred dollars (\$500) or by imprisonment not to exceed six months or by both such fine and imprisonment.

16. Local authorities shall have the responsibility for monitoring and enforcing these regulations. Any violation should be reported to local law enforcement officials.

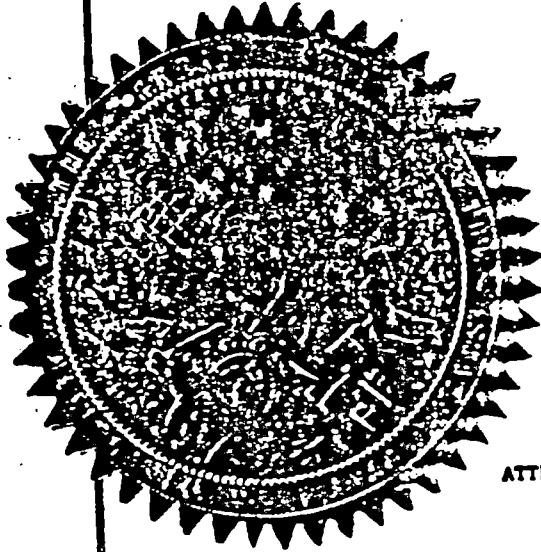
17. Any County Board of Supervisors may submit proposed clarifications of these rules to the Chairperson of the California Energy Commission. Such clarifications shall take effect upon the concurrence of the Energy Commission Chairperson. No changes to these rules shall occur unless submitted to the Energy Commission Chairperson and adopted by a written order of the Governor.

18. Rules #8 and #10 shall not take effect until seven (7) days after the date of proclamation of emergency for that county.

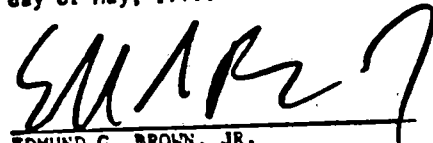
**Executive Department**  
**State of California**

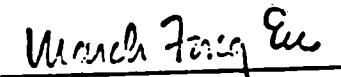
19. Notwithstanding any of the provisions of these regulations or other state or local law, Rules 1, 2, and 5 shall not apply to any person dispensing gasoline into a vehicle that has just received a carwash from a business whose primary purpose as of May 1, 1979, is offering that service. This rule shall apply only to those businesses which file with the Energy Commission a statement under penalty of perjury that their primary purpose as of May 1, 1979 was providing carwashes and not the sale of gasoline.

These rules amend and revise Regulations for California's Gasoline Emergency implemented on May 8 and 9, 1979.

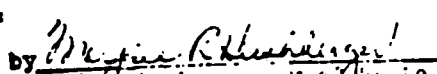


IN WITNESS WHEREOF, I have  
hereunto set my hand and  
caused the Great Seal of  
the State of California  
to be affixed this 11 th.  
day of May, 1979.

  
EDMUND G. BROWN, JR.  
Governor

ATTEST:   
Secretary of State

Date: May 11, 1979

By:   
Deputy Secretary of State